

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 06-07-06**

Date Published: June 29, 2006
For Work Week Commencing: July 3, 2006
Commission Meeting: July 6, 2006, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest Services Corporation N2006.6.86 (Gary)

On June 12, 2006 Qwest Service Corporation (Qwest) filed a Petition for Waiver of Months to Exhaust/Utilization Threshold requirements set forth in the FCC's Number Resource Optimization Order, FCC 00-429 and FCC 01-

362. A waiver of the FCC's requirements would allow Neustar, Montana's Pooling Administrator, to provide numbering resource to Qwest in order for Qwest to satisfy a specific customer request from Glacier Bancorp in Bozeman. The FCC allows for such a waiver of rules when there is a specific customer request. The waiver process ("safety valve" process) is addressed in FCC 01-362, paras. 57-66, which delegate waiver authority to state commissions.

Glacier Bancorp (Western Security Bank) recently acquired additional branch offices in Bozeman from Big Sky Western Bank and requested an additional 80 sequential Direct Inward Dial (DID) numbers from Qwest. While Qwest has sufficient numbering resources available in Bozeman to meet most demands, it does not currently have the sequential number block to meet this customer request. Therefore, per FCC procedures, Qwest submitted a request for the number resources to the NeuStar Numbering Pooling Administrator. Under the FCC requirements Qwest needed to show it was utilizing at least 75% of its number resources in Bozeman and that it would exhaust the remaining resources within 6 months. Qwest exceeds the utilization threshold of 75%. However, it does not meet the Months to Exhaust 6 month criteria. Qwest was denied the request for additional numbering resources in Bozeman. Therefore, under this normal number assignment process, Qwest would not be able to fulfill the numbering requests of Glacier Bancorp.

Per the FCC "safety valve" process, Qwest has filed a petition asking this Commission to approve a Months to Exhaust/Utilization Requirement waiver for Glacier Bancorp in Bozeman and to direct the Pooling Administrator to assign the additional numbers. Per prior Commission staff agreement with Qwest, when making safety valve filings, Qwest is required to provide certain additional information. Qwest did provide this information.

Probable Motion: Move to approve the Qwest petition for a waiver of months to exhaust/ utilization threshold requirements in Docket N2006.6.86 and direct NEUSTAR, the number pooling administrator, to assign to Qwest one new thousands block of numbers in Qwest's Bozeman rate center.

2. Qwest Corporation N2006.6.95 (Gary)

On June 21, 2006 Qwest Corporation (Qwest) filed for Commission approval a Master Service Agreement (MSA) between Qwest and the United States Postal Service (USPS). Qwest filed the MSA with the Commission for approval pursuant to Section 2.18 (Large Business Customers With a Multi-

State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. Also pursuant to the NCA, Qwest filed proprietary cost information. The MSA is the result of Qwest responding to a RFP issued by USPS to provide local voice services for the Qwest 14 state incumbent territory, including Montana. The services purchased by USPS are available from other competitive carriers in addition to Qwest. Probable Motion: Move to approve the Master Service Agreement between Qwest Corporation and the United States Postal Service in N2006.6.95.

3. CenturyTel N2006.6.90 (Scott)

On June 15, 2006, CenturyTel filed Transmittal No. 06-3. In this filing CenturyTel is requesting to offer a new packaged service called Simple Choice Unlimited. CenturyTel is requesting an effective date of July 15, 2006. Probable Motion: Approve CenturyTel's Transmittal No. 06-3 in Docket N2006.6.90.

4. Qwest N2006.6.91 (Scott)

On June 16, 2006 Qwest filed Tariff Transmittal 06-10, Resident On-Line Ordering Promotion. Qwest is proposing to offer from July 16, 2006, through October 14, 2006, residence customers who are connecting service for the first time or moving to a new address, who purchase a qualifying package at their new address and who place their order on-line at Qwest's website will receive a waiver of the nonrecurring charges associated with their line. Probable Motion: Approve Qwest's Tariff Transmittal 06-10 in Docket N2006.6.91.

5. Qwest Communications Corporation N2006.6.92 (Scott)

On June 16, 2006, Qwest Communications Corporation (QCC) filed Tariff Transmittal QCC06-10, Grandfathering Residence Choice Unlimited. This filing proposes to move the Choice Unlimited plan for residential customers to the Obsolete Service Offering Section. Probable Motion: Approve QCC's Tariff Transmittal QCC06-10 in Docket N2006.6.92.

6. Qwest LD Corp. N2006.6.93 (Scott)

On June 16, 2006, Qwest LD Corp. (QLDC) filed Tariff Transmittal QLDC06-06, Grandfathering Residence Choice Unlimited. This filing proposes to move the Choice Unlimited plan for residential customers to the Obsolete

Service Offering Section. Probable Motion: Approve QLDC's Tariff Transmittal QLDC06-06 in Docket N2006.6.93.

7. Montana-Dakota Utilities Co. D2006.5.62 (Martin)

On May 4, 2006, MDU filed a request for PSC approval of three new natural gas heating zones (also referred to as heat zones, therm zones, or thermal zones) in south-eastern Montana. The proposed new MDU heating zones will accommodate new heating zones initiated by Williston Basin Interstate Pipeline, MDU's interconnecting pipeline supplier in the area. Heating zones are areas in which the heat content of natural gas is separately measured for billing purposes. MDU proposes the addition of zone 39 (Montana / South Dakota border adjacent to the Baker / Grasslands Junction), zone 40 (Montana / North Dakota border adjacent to Cabin Creek Junction), and zone 42 (between the Baker / Grasslands Junction and the Cabin Creek Junction). The heat content of natural gas in each zone will be monitored by a chromatograph. MDU states that there is one new farm-tap customer in zone 39, there are no other customers in zones 39, 40, or 42, but approval of the zones is reasonably necessary to efficiently accommodate anticipated new customer connections. MDU's heating zone boundary map on file with the PSC already reflects these proposed heating zones. Probable Motion: Approve MDU's requested new natural gas heating zones 39, 40, and 42.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2006.4.49, D2006.4.50, D2006.4.52, D2006.4.57 - Blackfoot Communications, Inc., Blackfoot Telephone Cooperative, Inc., IDT Corporation, Qwest Corporation, AirCall, Inc., CenturyTel of Montana, Inc. - Four (4) interconnection agreements - Discuss and act on the agreements. (7/6/06)
2. D2006.3.39 – Qwest Corporation – Notification of Certain Features, Listings and Packages to be Offered as not Regulated - Qwest's objections to first set of data requests to Qwest from OneEighty Communications, Inc. – Discuss and act on the objections. (7/6/06)
3. D2006.3.39 – Qwest Corporation – Qwest's objections to PSC staff and Montana Consumer Counsel data requests – Discuss and act on Qwest's

objection to Commission staff data request PSC-001(b) and Qwest's objections to certain Montana Consumer Counsel data requests. (7/6/06)

4. D2005.6.105 – PSC Initiated – PSC investigation of Qwest use of federal universal service funds – Discussion, direction, action on Qwest motion for protective order, other matters as necessary. (7/6/06)
5. D2006.6.94 – NorthWestern Energy – 2006 qualifying facility avoided cost docket – Discussion, direction, action on NWE motion for protective order, other matters as necessary. (7/6/06)
6. D2003.7.86, D2004.6.96, D2005.6.103 – NorthWestern Energy – Three consolidated qualifying facility avoided cost dockets – Prehearing discussion as needed, if needed, other matters if any. (7/6/06)
7. D2006.2.15 – Cut Bank Gas – General rate case – Posthearing discussion, direction and action. (7/6/06)
8. D2003.4.49, D2004.4.55, D2004.5.69 – Montana-Dakota Utilities Co. – Three consolidated annual monthly tracker true-ups – Posthearing discussion, direction and action. (7/6/06)
9. D2006.5.66 – NorthWestern Energy – 2006-2007 electric tracker – Discuss NWE's request for interim relief. (7/6/06)
10. D2005.5.75 – Landmark Water Co. LLC – Water rates – Draft final order. (7/6/06)

Other Meetings

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days

following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. FIRELIGHT MEADOWS, LLC. N2006.6.87 (Leroy)

On June 9, 2006, Firelight Meadows, LLC d/b/a Firelight Meadows Water Service filed application to establish Late Payment Finance Charges on accounts that are greater than 30 days past due and NSF Check Fees for NSF checks. The finance charges are computed at 1.5% per month and the NSF Check Fee is \$25.00.

2. FIRELIGHT MEADOWS, LLC. N2006.6.88 (Leroy)

On June 9, 2006, Firelight Meadows, LLC d/b/a Firelight Meadows Waste Water Service filed application to establish Late Payment Finance Charges on accounts that are greater than 30 days past due and NSF Check Fees for NSF checks. The finance charges are computed at 1.5% per month and the NSF Check Fee is \$25.00.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2006.6.97 – Qwest Corporation and Industrial Communications & Electronics, Inc. – Application for Approval of Paging Type 1 and 2 Interconnection Agreement